



6. The Defendant herein has served on counsel for Plaintiff a Notice of Removal. A copy of the Notice of Removal and Petition for Removal have been filed in the Gibson County Circuit Court by this Defendant.

7. Defendant herein filed an action on February 13, 2007 in the United States District Court for the Western District of Tennessee, Eastern Division against this Plaintiff Steven McCollum styled Indiana Lumbersmens Mutual Insurance Company v. Steven McCollum under Case Docket Number 1:07-cv-01027-JDT-sta. A copy of that Complaint is attached hereto with the return of service for the summons as collective "Exhibit B". Service was perfected on the Defendant McCollum in that action on March 7, 2007.

8. Subsequently, this action was brought in state court by Plaintiff McCollum on February 20, 2007 against Indiana Lumbersmens Mutual Insurance Company. After removal of this suit from state court, the Defendant herein will move the Court to consolidate this action with the case of Indiana Lumbersmens Mutual Insurance Company v. Steven McCollum under Case Docket Number 1:07-cv-01027-JDT-sta which is currently pending in the United States District Court for the Western District of Tennessee, Eastern Division.

WHEREFORE, please take notice that Defendant Indiana Lumbersmens Insurance Company removes the state action styled Steven McCollum v. Indiana Lumberman's Mutual Insurance Company under Case Docket Number 8258 to the United States District Court for the Western District of Tennessee, Eastern Division, on this the 9th day of March, 2007.

Respectfully submitted,

**SPICER, FLYNN & RUDSTROM, PLLC**

s/ Marc Dedman

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